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In re
Michaud, et al.
Application No. 09/058,496
Filed: April 10, 1998
Attorney Docket No. 07844-
273001/P247

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: DECISION REGARDING
: PATENT TERM ADJUSTMENT
:
:

This decision is in response to the "LETTER REGARDING PATENT TERM ADJUSTMENT", filed September 12, 2006, requesting correction of the initial determination of the patent term adjustment (PTA).

The request is **DISMISSED**.

As a Continued Prosecution Application (CPA) was filed in the instant application on October 19, 2001, the application is entitled to the benefits of the patent term adjustment provisions of 35 U.S.C. §154(b) and 37 C.F.R. §§1.702 through 1.705.¹

¹ See MPEP 2730.

The Office determined a patent term adjustment of five hundred fifty-six (556) days based on an adjustment for PTO delay of five hundred ninety-three (593) days pursuant to 35 U.S.C. 154(b)(1)(A)(ii) and 37 C.F.R. § 1.703(e), reduced by twenty eight (28), six (6), and three (3) days of applicant delay pursuant to 37 C.F.R. § 1.704(b).

A review of the application does not reveal any errors in the calculation of the patent term adjustment. Accordingly, the patent term adjustment of five hundred fifty-six (556) days appears to be correct. To the extent that patentees are aware of any specific error in the PTA calculation, patentees should so advise the Office.

The matter is being forwarded to the Office of Patent Publication for processing into a patent.

Telephone inquiries specific to this letter should be directed to Cliff Congo, Petitions Attorney, at (571)272-3207.

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